

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CHICAGO & VICINITY LABORERS' )  
DISTRICT COUNCIL PENSION FUND, )  
CHICAGO & VICINITY LABORERS' )  
DISTRICT COUNCIL WELFARE FUND, )  
CHICAGO & VICINITY LABORERS' )  
DISTRICT COUNCIL RETIREE HEALTH )  
AND WELFARE FUND, and CATHERINE )  
WENSKUS, not individually but as )  
Administrator of the Funds, )  
Plaintiffs, )  
v. )  
PATCHING PEOPLE, INC., an Illinois )  
corporation, )  
Defendant. )

Case no. 20 C 5993

Judge: Rebecca Pallmeyer

## **STIPULATED DISMISSAL**

Plaintiffs, Chicago & Vicinity Laborers' District Council Pension Fund, Chicago & Vicinity Laborers' District Council Health & Welfare Fund, Chicago & Vicinity Laborers' District Council Retiree Health & Welfare Fund, and Catherine Wenskus, not individually but as Administrator of the Funds, (collectively "Funds"), and Defendant Patching People, Inc., by and through their respective counsel, and pursuant to Rule 41(a) of the Fed. R. of Civ. P. agree to dismiss this matter for thirty (30) days without prejudice, and pursuant to the Parties' Settlement Agreement and financial arrangement, granting Plaintiffs the right to reinstate this action within that thirty (30) day period for purposes of enforcing the Parties' Settlement Agreement and financial arrangement. Should no motion be forthcoming in the next thirty (30) days, the dismissal shall automatically convert to a with prejudice dismissal.

WHEREFORE, it is respectfully requested that this court issue an order dismissing this

Case without prejudice and with leave to reinstate to enforce the Parties' settlement for thirty days from today's date and thereafter if no motion has been filed to reinstate this action, the dismissal will be with prejudice.

Respectfully submitted,

May 18, 2021

Laborers' Pension Fund, et al.,

By: /s/Sara S. Schumann

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*(Plaintiffs' Counsel)*

Patching People, Inc.,

By: /s/John J. Chitkowski

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*(Defendant's Counsel)*

### **CERTIFICATE OF SERVICE**

The undersigned certifies that she caused copies of the foregoing Stipulated Dismissal to be served upon the following person via the Court's Electronic Notification System as noted this 18th day of May, 2021.

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Bryan R. Kelsey  
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/s/Sara S. Schumann